

OCT 29 2008

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MICHAEL N. MHLBY, CLERK OF COURT

H-08-699

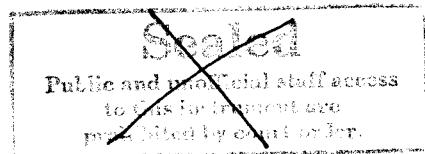
UNITED STATES OF AMERICA

vs.

SANDEEP VERMA

§
§
§
§

CRIMINAL NO.



CRIMINAL INDICTMENT

**UNSEALED
PER ARREST**

11-3-08

INTRODUCTION

THE GRAND JURY CHARGES THAT:

At all times material to this Indictment:

1. The term "minor" is defined, pursuant to Title 18, United States Code, Section 2256(1), as "any person under the age of eighteen years."
2. The term "sexually explicit conduct" is defined, pursuant to Title 18, United States Code, Section 2256(2), as any:

"actual or simulated -

- (i) sexual intercourse, including genital [to] genital, oral [to] genital, anal [to] genital, or oral [to] anal, whether between persons of the same or opposite sex; [or]
- (ii) bestiality; [or]
- (iii) masturbation; [or]
- (iv) sadistic or masochistic abuse; or
- (v) [the] lascivious exhibition of the genitals or pubic area of any person."

3. The term "computer" is defined, pursuant to Title 18, United States Code, Sections 2256(6) and 1030(e)(1), as any:

"electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, but such term does not include an automated typewriter or typesetter, a portable hand held calculator or other similar device."

4. The term "child pornography", for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(8)(A), as:

"any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

- (A) the production of such visual depiction involves the use of a minor engaged in sexually explicit conduct;

5. The term "visual depiction" is defined, pursuant to Title 18, United States Code, Section 2256(5), as including, but is not limited to, any:

"undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image."

6. The term "producing", for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(3) and case law, as:

"producing, directing, manufacturing, issuing, publishing or advertising" and includes downloading images from another source, by using materials, including a computer or parts thereof.

COUNT ONE
(Distribution Of Child Pornography)

On or about August 26, 2007, within the Houston Division of the Southern District of Texas and elsewhere,

SANDEEP VERMA,

defendant herein, did knowingly distribute and cause to be distributed in interstate and foreign

commerce, child pornography, by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2)(B) and Section 2252A(b)(1).

COUNT TWO
(Transportation Of Child Pornography)

On or about February 23, 2008, within the Houston Division of the Southern District of Texas and elsewhere,

SANDEEP VERMA,

defendant herein, did knowingly transport and ship in interstate and foreign commerce, child pornography, on a Verbatim CD.

In violation of Title 18, United States Code, Section 2252A(a)(1) and Section 2252A(b)(1).

COUNT THREE
(Possession Of Child Pornography Involving The Sexual Exploitation of Minors)

On or about February 24, 2008, within the Houston Division of the Southern District of Texas,

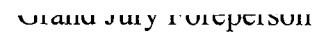
SANDEEP VERMA,

defendant herein, did knowingly possess a computer that contained multiple images of child pornography, which had been shipped and transported in interstate and foreign commerce by any means, including by computer, or which were produced using materials which have been mailed, shipped, and transported in interstate and foreign commerce, by any means, including by computer; more specifically, the defendant possessed a home made computer which contained video and still images of child pornography.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B), 2252A(b)(2) and 2256(8)(A).

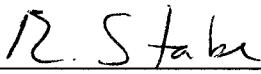
A True Bill:

ORIGINAL SIGNATURE ON FILE



DONALD J. DeGABRIELLE, JR.
United States Attorney,

By:



Robert Stabe
Assistant United States Attorney
713-567-9583